

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

1.	UNITED STATES OF AMERICA,)	
)	
	Plaintiff,)	
)	
v.)	
)	
1.	TERRY V. HELVEY, IF LIVING, AND IF)	
	NOT, HIS RESPECTIVE HEIRS,)	
	EXECUTORS, ADMINISTRATORS,)	
	DEVISEES, BENEFICIARIES, TRUSTEES,)	
	SUCCESSORS AND ASSIGNS;)	CIV-19-825-R
2.	CAROLYN J. HELVEY, IF LIVING, AND IF)	
	NOT, HER RESPECTIVE HEIRS,)	
	EXECUTORS, ADMINISTRATORS,)	
	DEVISEES BENEFICIARIES, TRUSTEES,)	
	SUCCESSORS AND ASSIGNS;)	
3.	DANIEL S. FELAN, IF LIVING, AND IF)	
	NOT, HIS RESPECTIVE HEIRS,)	
	EXECUTORS, ADMINISTRATORS,)	
	DEVISEES, BENEFICIARIES, TRUSTEES,)	
	SUCCESSORS AND ASSIGNS;)	
4.	STEPHANIE J. FELAN, IF LIVING, AND)	
	IF NOT, HER RESPECTIVE HEIRS,)	
	EXECUTORS, ADMINISTRATORS,)	
	DEVISEES, BENEFICIARIES, TRUSTEES,)	
	SUCCESSORS AND ASSIGNS;)	
5.	ANY OTHER UNKNOWN CLAIMANTS)	
	TO THE SUBJECT LAND,)	
	Defendants.)	

COMPLAINT FOR QUIET TITLE

1. Jurisdiction depends upon 28 U.S.C § 1345.
2. Terry V. Helvey and Carolyn J. Helvey (collectively referred to herein as “Helvey”) are or were a married couple and are residents of Oklahoma. Daniel S. Felan

and Stephanie J. Felan (collectively referred to as “Felan”) are or were a married couple and are residents of Oklahoma.

3. By way of Warranty Deed dated November 19, 1980 (recorded on January 12, 1981 at Book 956, Page 555) attached hereto as Exhibit 1, Helvey received title to the following real estate from the City of Elmore City, Oklahoma:

Surface estate only, exclusive of all mineral interest in and to a part of the W/2 NE/4 of Section 22, Township 2 North, Range 2 West of I.B.M., described as beginning at a point 314.0 feet East of the SW corner thereof, thence S 89° 57’30” E a distance of 653.0 feet; thence N 00° 01’30” W a distance of 1440.0 feet; thence N 89° 57’30” W a distance of 760.0 feet; thence S 00° 01’30” E a distance of 1280.0 feet; thence S 89° 57’30” E a distance of 107.0 feet; thence S 00° 01’30” E a distance of 160.0 feet to the p. o. b., containing 24.7 acres more or less.

4. Subsequent to receiving title to the aforementioned property, Helvey platted at least a portion of same resulting in “Helvey Addition #1” and “Helvey Addition #2”.

5. By way of Joint Tenancy Warranty Deed dated August 7, 2008 (recorded on August 8, 2008 at Book 1855, Page 460-462) attached hereto as Exhibit 2, Felan received title to the following, now platted, real estate from Helvey (hereinafter referred to as the “Property”) located in Garvin County, State of Oklahoma, to-wit:

The Surface only of:

A tract of land located in the Northeast Quarter (NE/4) of Section Twenty-two (22), Township Two (2) North, Range Two (2) West of the I.M., Garvin County, Oklahoma, more particularly described as follows: Commencing at the Northeast corner of Lot 13 of Helvey Addition #2 to the City of Elmore City; thence S 89° 67’30” E along the North line of a parcel filed in the County Clerk’s Office in Book 1618 at Page 239, a distance of 140 feet to the Northeast corner of said parcel, said point being the Point of Beginning; thence S 89° 57’30” E 184.23 feet; thence S 0° 1’30” E 120.00 feet; thence N

89° 57'30" W 184.23 feet to the Southeast corner of said parcel filed in Book 1618 at Page 239; thence N 0° 01'30" W 120.00 feet to the Point of Beginning, containing 0.51 acres, more or less.

6. In order to purchase the Property from Helvey, Felan obtained a mortgage from, and signed a promissory note with, the United States of America acting through the Rural Housing Service, United States Department of Agriculture. Felan subsequently defaulted on said mortgage, and the accompanying promissory note, which resulted in the Plaintiff filing a foreclosure action against Felan in this Court under case number CIV-16-891-D. This Court entered its Foreclosure Judgment, the property was sold, and the sale confirmed whereby the Rural Housing Service was the highest bidder pursuant to this Court's Order entered March 29, 2018.

A United States Marshal's Deed was thereafter issued to the Rural Housing Service on April 11, 2018 (recorded on June 14, 2018 at Book 2225, Page 343), a copy of which is attached hereto as Exhibit 3. Thus, Plaintiff is currently the sole owner of title in fee simple and is in possession of the Property.

7. Subsequent to March 29, 2018, Plaintiff marketed the Property and secured a potential buyer. During title examination, it was discovered that, through apparent mutual mistake and inadvertence, an error occurred whereby within the Property's legal description, as referenced in the aforementioned conveyances, was erroneous. Specifically, the Property should have been described as "Helvey Addition #1" instead of "Helvey Addition #2" as there is no Lot 13 in Helvey Addition #2. Furthermore, a portion of the description refers to the S 89° 67' 30" when it should have read the S 89° 57' 30".

Plaintiff therefore requests that the legal description to the Property, and any recorded instruments of conveyance, be reformed and corrected to the following correct legal description:

The Surface only of:

A tract of land located in the Northeast Quarter (NE/4) of Section Twenty-two (22), Township Two (2) North, Range Two (2) West of the I.M., Garvin County, Oklahoma, more particularly described as follows: Commencing at the Northeast corner of Lot 13 of Helvey Addition #1 to the City of Elmore City; thence S 89° 57'30" E along the North line of a parcel filed in the County Clerk's Office in Book 1618 at Page 239, a distance of 140 feet to the Northeast corner of said parcel, said point being the Point of Beginning; thence S 89° 57'30" E 184.23 feet; thence S 0° 1'30" E 120.00 feet; thence N 89° 57'30" W 184.23 feet to the Southeast corner of said parcel filed in Book 1618 at Page 239; thence N 0° 01'30" W 120.00 feet to the Point of Beginning, containing 0.51 acres, more or less.

8. The Defendants, Helvey and Felan, and their unknown heirs, executors, administrators, devisees, beneficiaries, trustees, successors and assigns; and, any other unknown claimants to the Property, and each of them, are claiming some right, title, interest and demand in, to, and upon the Property described herein, the exact nature of which is unknown to the Plaintiff, but which is junior and inferior to the title and possession of the Plaintiff.

9. That the Defendants' claims to any right, title or interest in and to the Property was terminated upon the issuance of the documents of conveyance and foreclosure as previously described. Plaintiff alleges and states that the Defendants have no interest therein, and this Court should enter an order judicially removing any purported claims by such Defendants against the Property and quieting title thereto in the Plaintiff.

WHEREFORE, Plaintiff prays that said Defendants be required to appear and answer and set out their rights, claims and demands, if any, in and to said real estate, and that on final hearing Plaintiff be adjudged to be the sole owner in fee simple of the real property as set out herein and that title be fully perfected as against all Defendants, and each of them, and they and all persons holding under them be barred, estopped and foreclosed from setting up or claiming any right, title or interest in, to, or upon said real estate, and that the title of Plaintiff is good and valid and that Defendants have no estate or interest in the real estate. In addition, Plaintiff prays that this Court issue its judgment reforming the instruments identified herein to reflect the correct legal description as requested by the Plaintiff. Furthermore, the Plaintiff prays for any other relief that is available to it by law or in equity.

TIMOTHY J. DOWNING
UNITED STATES ATTORNEY

s/Kay Sewell
KAY SEWELL, OBA #10778
Assistant U.S. Attorney
210 PARK AVENUE, STE. 400
OKLAHOMA CITY, OK 73102
Telephone: (405) 553-8807
Facsimile: (405) 553-8885
Kay.Sewell@usdoj.gov
ATTORNEY FOR PLAINTIFF

JOINT TENANCY

Warranty Deed

(CORPORATION)

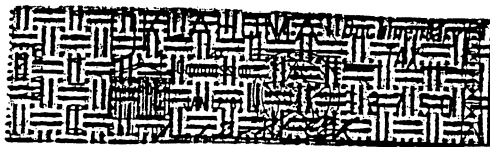
KNOW ALL MEN BY THESE PRESENTS:

That CITY OF ELMORE CITY, OKLAHOMA,a municipal, ☒ corporation, party of the first partin consideration of ten and more dollarand other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, does hereby grant bargain, sell and convey unto TERRY V. HELVEY and CAROLYN J. HELVEY,
husband and wifeas joint tenants and not as tenants in common, with the right of survivorship, the whole estate to vest in the survivor in event of the death of either, parties of the second part, the following described real property and premises situate in Garvin County, State of Oklahoma, to-wit:

Surface estate only, exclusive of all mineral interest in and to a part of the W/2 NE/4 of Section 22, Township 2 North, Range 2 West of I. B. M., described as beginning at a point 314.0 feet East of the SW corner thereof, thence S 89°57'30" E a distance of 653.0 feet; thence N 00°01'30" W a distance of 1440.0 feet; thence N 89°57'30" W a distance of 760.0 feet; thence S 00°01'30" E a distance of 1280.0 feet; thence S 89°57'30" E a distance of 107.0 feet; thence S 00°01'30" E a distance of 160.0 feet to the p. o. b., containing 24.7 acres more or less,

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, as such joint tenants, and to the heirs and assigns of the survivor, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and incumbrances of whatsoever nature.

Signed and delivered this 19th day of November, 1980CITY OF ELMORE CITY, OKLAHOMA

City Clerk

~~Secretary~~

By

Mayor

~~President~~

CORPORATION ACKNOWLEDGMENT

(Oklahoma Form)

STATE OF OKLAHOMACounty of GARVIN

ss:

On this 19th day of November, A.D. 1980, before me, the undersigned, aNotary Public in and for the County and State aforesaid, personally appeared Chester Patterson, to me known to be the identical person who signed the name of the maker thereof to the within and foregoing instrumentas its Mayor ~~President~~ and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My commission expires 7-29-82 Alice McCarroll, Notary Public.

NOTE: This form is supplied by TITLE GUARANTY DEPARTMENT of AMERICAN-FIRST TITLE & TRUST CO., Oklahoma City, for the convenience of ATTORNEYS. No legal instrument or form should ever be prepared by anyone other than an Attorney.

Exhibit 1-Warranty
Deed

RESOLUTION

WHEREAS, the City Council of the City of Elmore City, Oklahoma, meeting in regular session this Aug. 9 day of 1980, 1980, and having given public notice of its agenda including the subject matter of this resolution, and having considered the proposal to sell a certain tract of real property in parcels, and having determined that said real property described below is owned by the City of Elmore City, is not now used nor was it acquired for a public purpose but is held by the municipal corporation as an entity; and that it is in the best interest of the city to dispose of same in the manner and on the terms that the Council shall approve; and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELMORE CITY:

1. That it is in the best interest of the City of Elmore City to dispose of the real property and premises described as:

Surface estate only, exclusive of all mineral interest in and to a part of the W/2 NE/4 of Section 22, Township 2 North, Range 2 West of I. B. M., Garvin County, Oklahoma, described as beginning at a point 314.0 feet East of the SW corner thereof, thence S 89°57'30" E a distance of 653.0 feet; thence N 00°01'30" W a distance of 1440.0 feet; thence N 89°57'30" W a distance of 760.0 feet; thence S 00°01'30" E a distance of 1280.0 feet; thence S 89°57'30" E a distance of 107.0 feet; thence S 00°01'30" E a distance of 160.0 feet to the point of beginning, containing 24.7 acres more or less.

2. That the sale of said land shall be in a block or in parcels the size of which, the method of sale and the terms of sale to be determined by the majority vote of this council.
3. That the subject real property has never been dedicated to public use nor actually used for such and title is held by the City as a corporate entity and therefore this Council is empowered to sell and dispose of same.

ADOPTED this 4th day of Nov., 1980.

ATTEST: (SEAL)

THE CITY COUNCIL OF ELMORE CITY

[Signature]
City Clerk

By *[Signature]*
Mayor

Legal Notice
(Published in the Pauls Valley Daily Democrat on November 6 and 13, 1980)

BOOK 956 PAGE 557

AFFIDAVIT OF PUBLICATION

State of Oklahoma)

ss

County of Garvin)

David Crouch

_____, of lawful age, being duly sworn and authorized says that he is Gen. Mgr. of the Pauls Valley Daily Democrat, a daily newspaper printed in Pauls Valley, Garvin County, Oklahoma a newspaper qualified to publish legal notices, advertisements and publications as provided in Section 106 of Title 25, Oklahoma Statutes 1971 as amended, and complies with all other requirements of the laws of Oklahoma with reference to legal publications.

That said notice, a true copy of which is attached hereto, was published in the regular edition of said newspaper during the period and time of publication and not in a supplement, on the following dates: Nov. 6 & 13, 1980.

Subscribed and sworn to before me this 17th day of November, 1980

Notary Public

My commission expires: June 23, 1984

PUBLISHER'S FEE \$ 35.60

NOTICE OF SALE
Notice is hereby given that the City of Elmore City, Oklahoma, will sell, subject to the right of the City Council to reject any or all bids, the following tract of land at private sale to the highest bidder:

Surface estate only, exclusive of all mineral interest in and to a part of the W-2 NE-4 of Section 22, Township 2 North, Range 2 West of 1.B.M., Garvin County, Oklahoma, described as beginning at a point 314.0 feet East of the SW corner thereof, thence S 89°57'30" E a distance of 633.0 feet; thence N 00°01'30" W a distance of 1440.0 feet; thence N 89°57'30" W a distance of 760.0 feet; thence S 00°01'30" E a distance of 1280.0 feet; thence S 89°57'30" E a distance of 107.0 feet; thence S 00°01'30" E a distance of 160.0 feet to the point of beginning, containing 24.7 acres more or less.

Any person desiring to bid on the tract shall submit a sealed bid listing name, address, phone number and the amount bid. Bids must be received in the office of the City Clerk of the City of Elmore City no later than 12:00 noon on the 17th day of November, 1980. Bids will be opened at the City Council meeting, and successful bidder announced, if any, on the 17th day of November, 1980.

ATTEST: (SEAL)

S-Sue Griffin

CITY CLERK

S-Chester Patterson

MAYOR

BOOK 956 PAGE 558

RESOLUTION

WHEREAS, the City Council of the City of Elmore City at a Special Meeting on the 17th day of November, 1980, after due and proper notice thereof, the subject being the opening of bids on the surplus lake property which was done and after examination of the bids and discussion the highest and best bid was that of Terry V. Helvey and he was awarded the property; and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELMORE CITY:

1. That Terry V. Helvey being the successful bidder on the property consisting of approximately 24.7 acres is hereby awarded the said property, more particularly described in the Resolution of the City Council of 8-5-80.
2. That the Mayor is directed to execute a warranty deed to the purchaser and deliver same.

ADOPTED this 17th day of November, 1980.

ATTEST: (SEAL)

THE CITY COUNCIL OF ELMORE CITY

[Signature]
City Clerk

By [Signature]
Mayor

STATE OF OKLAHOMA
GARVIN COUNTY
This instrument was filed for record at
JAN 12 1981
In Book 956 at Page 555
CAROLE RICHARD, County Clerk
[Signature] Deputy

JOINT TENANCY WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS:

That, **TERRY V. HELVEY and CAROLYN J. HELVEY, Husband and Wife**, hereinafter called "Grantors" in consideration of the sum of Ten and More Dollars and other good and valuable consideration, to them in hand paid, the receipt and sufficiency of which are hereby acknowledged, do hereby grant, bargain, sell and convey unto:

**DANIEL S. FELAN and STEPHANIE J. FELAN
733 ARROWHEAD LANE
ELMORE CITY, OK 73433**

husband and wife, as joint tenants and not as tenants in common, with full rights of survivorship, the whole estate to vest in the survivor in the event of the death of either, hereinafter called "Grantees," all the Grantors' right, title, interest, estate, and every claim and demand, both at law and in equity, in and to the following described property situate in Garvin County, State of Oklahoma, to-wit:

(SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION)

together with all the improvements located thereon and all the hereditaments and appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD the above described premises unto the said Grantees, as joint tenants and not as tenants-in-common, and to the heirs and assigns of the survivor, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature

1-2008-006399 Book 1855 Pg: 460
08/08/2008 2:00 pm Pg 0460-0462
Fee: \$ 17.00 Doc: \$ 14.25
Gina Mann - Garvin County Clerk
State of Oklahoma



Exhibit 2-Joint
Tenancy Deed

LESS AND EXCEPT all easements, restrictions and reservations of record.

Signed and Delivered by the Grantors on August,
7th, 2008.

Terry V. Helvey
TERRY V. HELVEY

Carolyn J. Helvey
CAROLYN J. HELVEY

STATE OF OKLAHOMA, COUNTY OF MURRAY} ss:

Before me, the undersigned, a Notary Public in and for said County and State, on this 7th day of August, 2008, personally appeared TERRY V. HELVEY and CAROLYN J. HELVEY, Husband and Wife, to me known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My Commission Expires: _____

Kris Brinson
NOTARY PUBLIC

My Comm. No. _____

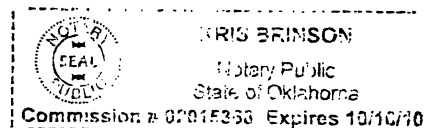


EXHIBIT "A"

THE SURFACE ONLY OF:

A tract of land located in the Northeast Quarter (NE¼) of Section Twenty-two (22), Township Two (2) North, Range Two (2) West of the I. M., Garvin County, Oklahoma, more particularly described as follows: Commencing at the Northeast corner of Lot 13 of Helvey Addition # 2 to the City of Elmore City; thence S 89° 67' 30" E along the North line of a parcel filed in the County Clerk's Office in Book 1618 at Page 239, a distance of 140 feet to the Northeast corner of said parcel, said point being the Point of Beginning; thence S 89° 57' 30" E 184.23 feet; thence S 0° 1' 30" E 120.00 feet; thence N 89° 57' 30" W 184.23 feet to the Southeast corner of said parcel filed in Book 1618 at Page 239; thence N 0° 01' 30" W 120.00 feet to the Point of Beginning, containing 0.51 acres, more or less.

UNITED STATES MARSHAL'S DEED

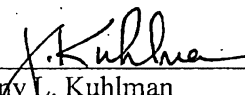
KNOW ALL MEN BY THESE PRESENTS:

Pursuant to foreclosure Judgment and Order Confirming United States Marshal's Sale in *United States of America v. Daniel S. Felan, et al.*, CIV-16-891-D before the United States District Court for the Western District of Oklahoma, and in consideration of the sum of \$70,668.00 receipt of which is acknowledged, I, Johnny L. Kuhlman, United States Marshal for the Western District of Oklahoma, grant, sell, and convey unto the United States of America acting by and through the Rural Housing Service, United States Department of Agriculture, all right, title, interest, and claim in and to the following property, to-wit:

A tract of land located in the Northeast Quarter (NE1/4) of Section Twenty two (22), Township Two (2) North, Range Two (2) West of the I.M., Garvin County, Oklahoma, more particularly described as follows: Commencing at the Northeast corner of Lot 13 of Helvey Addition #2 to the City of Elmore City; thence S 89° 67' 30" E along the North line of a parcel filed in the County Clerk's Office in Book 1618 at Page 239, a distance of 140 feet to the Northeast corner of said parcel, said point being the Point of Beginning; thence S 89° 57' 30" E 184.23 feet; thence S 0° 1' 30" E 120.00 feet; thence N 89° 57' 30" W 184.23 feet to the Southeast corner of said parcel filed in Book 1618 at Page 239; thence N 0° 01' 30" W 120.00 feet to the Point of Beginning, containing 0.51 acres, more or less.

TO HAVE AND TO HOLD, the above-described property unto the United States of America acting by and through the Rural Housing Service, United States Department of Agriculture forever as absolutely as I, United States Marshal for the Western District of Oklahoma, can convey by virtue of the judgment and order of sale.

Dated: April 11, 2018.


Johnny L. Kuhlman
United States Marshal for the
Western District of Oklahoma

STATE OF OKLAHOMA)
)
) ss:
COUNTY OF OKLAHOMA)

Before me, the undersigned authority, on this date personally appeared Johnny L. Kuhlman, known to me to be the person whose name is subscribed to the foregoing instrument and likewise known to me to be the United States Marshal for the Western District of Oklahoma, and acknowledged to me that he executed the same for the purposes and consideration expressed in the capacity stated.

Given under my hand and seal of office this 11th day of April, 2018.


Notary Public



My commission expires: 3-10-19

EXEMPT FROM DOCUMENTARY STAMPS UNDER 68 O.S. § 3202(12) UNITED STATES OF AMERICA IS A PARTY TO THE DEED

I-2018-005134 Book 2225 Pg: 343
06/14/2018 8:00 am Pg 0343-0343
Fee: \$ 13.00 Doc: \$ 0.00
Lori Fulks - Garvin County Clerk
State of Oklahoma



Exhibit 3-Marshall's
Deed

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

UNITED STATES OF AMERICA

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Kay Sewell
Assistant United States Attorney, OBA #10778
210 W. Park Ave, Suite 400
Oklahoma City, OK 73102
405-553-8807 405-553-8885-FAX

DEFENDANTS

Terry V. Helvey, et al.

County of Residence of First Listed Defendant Garvin
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question
(U.S. Government Not a Party)
- ☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input checked="" type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

28 U.S.C. § 1345

Brief description of cause:

Quiet Title

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____ DOCKET NUMBER _____

DATE

09/06/2019

SIGNATURE OF ATTORNEY OF RECORD

/s/ Kay Sewell, AUSA, OBA #10778

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____